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C O N F I D E N T I A L SECTION 01 OF 02 COLOMBO 001258

SIPDIS

STATE FOR SA/INS, NSC FOR DORMANDY, LONDON FOR BELL,  
USPACOM FOR FPA

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TAGS: [PTER PHUM PGOV CE LTTE](#)

SUBJECT: DETERIORATING SECURITY ALARMS CO-CHAIRS

REF: A. COLOMBO 1217

[B](#). COLOMBO 1224

Classified By: AMB J. Lunstead. Reason :1.4 (B) and (D)

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SUMMARY  
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[1](#)1. (C) The July 15 ruling by the Sri Lankan Supreme Court (SC) concerning a constitutional challenge to the Post-Tsunami Operational Management Structure (P-TOMS) (SEPTEL) combined with the Government of Sri Lanka (GSL) refusal of the Liberation Tigers of Tamil Eelam (LTTE) ultimatum to increase Sri Lankan Army (SLA) protection of LTTE unarmed cadres, as well as the mutual attacks in the Eastern Province, has put severe strain on the Cease Fire Agreement (CFA). The Norwegian mission, in consultation with the U.S. Ambassador, has drafted a statement for all co-chair Chiefs of Mission to release in support of the CFA. The Sri Lankan Monitoring Mission (SLMM) has also drafted a compromise on the LTTE's demand for transportation security. Violence continued in the East and other areas. END SUMMARY.

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STAY OF P-TOMS FURTHER ENRAGES LTTE  
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[1](#)2. (C) The SC ruling that four articles of the P-TOMS were unconstitutional has effectively squelched the P-TOMS and enraged the LTTE. After recalling all Tamil National Alliance (TNA) MPs to LTTE headquarters in Kilinochi for consultations, LTTE political head S.P. Thamilselvan accused President Kumaratunga of foot dragging and stated to the press, "we have no confidence that Sinhala leaders are capable of implementing anything they have agreed to." The LTTE has reacted to the GSL response to their ultimatum (REFTEL A) for increased security by the SLA as a refusal. Thamilselvan went on to tell reporters, "If the GSL is unable to provide the required security to our cadres, we will have to resort to our own arrangements to provide our own security. You will likely hear of consequences if and when Sri Lanka armed forces attempt to restrict our movements." The SLMM will present a compromise solution to Dr. Jayantha Dhanapala, Director of the GSL Peace Secretariat on July 18. Despite prior statements by the LTTE press spokesman (REFTEL B), the LTTE has not notified the Norwegian facilitators of their intention to withdraw from the CFA.

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CONTINUED VIOLENCE  
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[1](#)3. (SBU) Violence has continued throughout the East and other areas:  
-- In the Eastern province city of Trincomalee, hostilities peaked on Thursday July 14, with no incidents in the city over the weekend. The head of the USAID OTI office in Trincomalee described GSL security forces out in force conducting random searches. She said that the streets are empty, the town is eerily quiet and the level of tension is high.  
-- To the south, in the Batticaloa district, one SLA soldier was killed on Saturday July 16 in a style indicative of an LTTE pistol team attack.  
-- In the Eastern province's Ampara district a three-wheeler driver and two Muslim passengers were bound and executed and their vehicle burned. (NOTE: This tactic does not match prior extra judicial killings and could just be criminal. END NOTE)  
-- In the North Western province's Puttalam district, a man was arrested after shooting an alleged member of the break away anti-LTTE Karuna faction.  
-- In Northern province's Mannar district, police arrested seven people smuggling explosives on the beach and recovered 16 claymore mines and assorted demolition supplies.  
-- There were unconfirmed reports that withdrawing LTTE political cadres were telling Tamils to be ready to take up arms.

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FIRST AID TO CFA  
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[1](#)4. (C) Norway has been successful in getting the GSL to

agree to talks on restoring the CFA. However, the LTTE has not responded. Norwegian Charge d' Affairs Oddvar Laegreid will travel to Kilinochi on Wednesday July 20 to tell the LTTE that the GSL is willing to hold CFA talks and to press the LTTE to participate. The UK Foreign Ministry will deliver the same message in London to Anton Balasingham, the LTTE's chief negotiator. On Friday July 22, all Co-chair Chiefs of Missions (COMs) will attend a meeting with President Kumaratunga. Over the weekend, Oslo drafted a statement in support of the CFA. In consultations with the Ambassador, Laegreid prepared a draft for the COMs. Pending the concurrence of all COMs the statement will be released tomorrow, July 19. The text appears below:

Sri Lankan Government and LTTE must urgently address threats to Ceasefire Agreement

The Co-chairs of the Sri Lanka peace process, the EU, U.S., Japan and Norway are alarmed by the deteriorating security situation in Sri Lanka.

Since February 2005 there has been an escalation of violence resulting in the killings and injuring of persons associated with both the GOSL, the LTTE and other political groups. Unless security is guaranteed, a central pillar of the Ceasefire Agreement will be undermined. If the Ceasefire Agreement ceases to function, the wider peace process would be gravely jeopardized and international support for that process deeply eroded.

The Co-chairs call on the Government of Sri Lanka and the LTTE each to take immediate action to prevent killings. The LTTE must stop all killings by their forces. The Sri Lankan government in accordance with the Ceasefire Agreement, must guarantee the security of all unarmed LTTE cadres in government-controlled areas and ensure that all paramilitary groups are disarmed and kept under control.

Maintenance of the Ceasefire Agreement is the responsibility of the two parties alone. In this effort, they have had the excellent assistance of the Sri Lanka Monitoring Mission and the full support of the international community. The Co-chairs believe that it is time the parties demonstrate the seriousness of their commitment to the Ceasefire Agreement by coming together to resolve outstanding issues and renew their cooperation. the SLMM can only fulfill its functions under the Ceasefire Agreement if the parties actively demonstrate the will to uphold the agreement.

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COMMENT  
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15. (C) P-TOMS is effectively dead with little hope of resuscitation. This is a severe blow to President Kumaratunga and her minority government. The JVP's fortunes are rising and the LTTE's rhetoric is escalating to match the JVP's. In a meeting last week, Kumaratunga told the Ambassador that she believed the attacks on the SLA were the work of "other extremist political parties," implying JVP involvement. This theory strains credibility. Friday's meeting between the Co-chairs and Kumaratunga will be an important gauge of her situational awareness, resolve, and ability to stabilize the CFA.

LUNSTEAD